HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.NO. 29589 OF 1997

Between:

George Thomas and others

… Petitioners

and

The Director General, Railway Protection Force and others

… Respondents

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.NO.29589 OF 1997

ORAL ORDER:

The proceedings of the 3rd respondent dated 23.9.1997 is questioned in this writ petition as arbitrary and illegal. The proceedings dated 23.9.1997 is a clarification issued by the Dy. Director (Security), Railway Board, to the effect that for promotion to the post of Sub-Inspectors in the Railway Protection Force, in cases where it was not by a limited departmental examination, the time spent by the Sub-Inspectors during the initial training period would not count for the purpose of eligibility for appearing in the departmental examination for promotion to the rank of Inspector Grade-II.

Sri S. Sri Ram, learned counsel for the petitioners, would contend that the training period is also required to be included for computing the minimum 8 years service prescribed as the eligibility criteria for being considered for promotion to the post of Inspectors in Railway Protection Force. Learned counsel would contend that, by virtue of this clarificatory proceedings dated 23.9.1997, the benefit, which the petitioners were entitled to under the Statutory rules, has

been taken away.

Sri Gouri Shankar Sanghi, the learned Senior Standing Counsel for the respondents, would submit that since the petitioners have subsequently been promoted as Inspectors of Police, the cause in this writ petition does not necessitate adjudication and the writ petition has become infructuous.

While expressing ignorance about the petitioners having been promoted subsequently, Sri S. Sri Ram, learned counsel for the petitioner, would agree that in case they were so promoted, the cause in this writ petition may not necessitate adjudication.

Recording the submission of Sri G.S. Sanghi, learned Senior Standing Counsel for the respondents that the petitioners were promoted subsequently as Inspectors Grade-II, the writ petition is dismissed as infructuous. No costs.

RAMESH RANGANATHAN, J

DATE: 2.3.2007

CVM